

RECEIVED
CENTRAL FAX CENTER

APR 11 2005 FORMAJ

IN RE APPLICATION NUMBER: 09/960,749TRANSMITTAL COVER LETTER FOR FACSIMILE TRANSMISSION

PLEASE DELIVER THE FOLLOWING PAGES TO:

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Attention: Examiner Jessica R. Baxter
Group Art Unit 3731

FACSIMILE NUMBER: (703) 872-9306

THE SENDER IS: Edward M. Arons
Registration Number 44,511
FISH & NEAVE IP GROUP
ROPE & GRAY LLP
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax.: (212) 596-9090

CLIENT/MATTER NO. 000593.0005CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile
transmitted to the U.S. Patent and Trademark Office on the date
shown below.

April 11, 2005
Date


Edward M. AronsTOTAL NUMBER OF PAGES, INCLUDING COVER SHEET: 19DATE: 4-11-05 FACSIMILE OPERATOR: Gene Keefman

THIS COMMUNICATION IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN
INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED
RECIPIENT, YOU ARE HEREBY NOTIFIED THAT THE UNAUTHORIZED DISSEMINATION OF THE
COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN
ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE.

PLEASE ACKNOWLEDGE SAFE RECEIPT OF THIS TRANSMISSION BY SIGNING
AND RETURNING THIS COVER SHEET TO US BY FACSIMILE.

WE ACKNOWLEDGE SAFE RECEIPT OF THIS TRANSMISSION

SIGNED: _____ DATE: _____

IF NOT, PLEASE CALL BACK AS SOON AS POSSIBLE
PHONE (212) 596-9300 (ASK FOR "FAX OPERATOR")

RECEIVED
CENTRAL FAX CENTER

APR 11 2005

PATENTS
593/005IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION

Applicant : Thomas E. Borillo et al.
Application No. : 09/960,749 Confirmation No. 5029
Filed : September 21, 2001
For : APPARATUS FOR IMPLANTING DEVICES
IN ATRIAL APPENDAGES
Group Art Unit : 3731
Examiner : Jessica R. Baxter

New York, New York
April 11, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97,
applicants hereby make the following patent documents of
record in the above-identified patent application:

U.S. PATENT DOCUMENT

5,312,341 Turi May 17, 1994

FOREIGN PATENT DOCUMENT

CN 2105968U China June 3, 1992

The aforementioned documents are listed on the
accompanying Form PTO/SB/08A (submitted in duplicate).

Chinese Publication No. CN 2105968U is in the
Chinese language. Accordingly, applicants enclose

herewith a copy of a complete English language translation of the publication.

This information disclosure statement is being mailed after the mailing of a first Office action on the merits of the application, but, applicants believe, before the mailing date of an action that closes prosecution in the application. Accordingly, applicants state, pursuant to 37 C.F.R. §§ 1.97(c)(1) and (e)(1) that the aforementioned documents were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. Applicants believe that no fee is due in connection with this Statement. However, if any fee is due, the Director is hereby authorized to charge such fee to Deposit Account No. 06-1075. A duplicate copy of this paper is enclosed herewith.

It is respectfully requested that the documents be (1) fully considered by the Patent and Trademark Office during examination of this application; and (2) printed on any patent which may issue on this application. Applicant requests that a copy of the enclosed Form PTO/SB/08A, as considered and initialed by the Examiner, be returned with the next communication.

A favorable action is respectfully requested.

Respectfully submitted,



Edward M. Arons
Reg. No. 44,511
Attorney for applicants
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

PATENTS
593/005IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION

Applicant : Thomas E. Borillo et al.
Application No. : 09/960,749 Confirmation No. 5029
Filed : September 21, 2001
For : APPARATUS FOR IMPLANTING DEVICES
IN ATRIAL APPENDAGES
Group Art Unit : 3731
Examiner : Jessica R. Baxter

New York, New York
April 11, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97,
applicants hereby make the following patent documents of
record in the above-identified patent application:

U.S. PATENT DOCUMENT

5,312,341 Turi May 17, 1994

FOREIGN PATENT DOCUMENT

CN 2105968U China June 3, 1992

The aforementioned documents are listed on the
accompanying Form PTO/SB/08A (submitted in duplicate).

Chinese Publication No. CN 2105968U is in the
Chinese language. Accordingly, applicants enclose


herewith a copy of a complete English language translation of the publication.

This information disclosure statement is being mailed after the mailing of a first Office action on the merits of the application, but, applicants believe, before the mailing date of an action that closes prosecution in the application. Accordingly, applicants state, pursuant to 37 C.F.R. §§ 1.97(c)(1) and (e)(1) that the aforementioned documents were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. Applicants believe that no fee is due in connection with this Statement. However, if any fee is due, the Director is hereby authorized to charge such fee to Deposit Account No. 06-1075. A duplicate copy of this paper is enclosed herewith.

It is respectfully requested that the documents be (1) fully considered by the Patent and Trademark Office during examination of this application; and (2) printed on any patent which may issue on this application. Applicant requests that a copy of the enclosed Form PTO/SB/08A, as considered and initialed by the Examiner, be returned with the next communication.

A favorable action is respectfully requested.

Respectfully submitted,



Edward M. Arons
Reg. No. 44,511
Attorney for applicants
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

PTO/SB/08a/b (1-18-03)

Approved for use through 07/31/2006. OMB 0851-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|---|---|----|---|--------------------------|--------------------|
| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 09/960,749 |
| | | | | Filing Date | September 21, 2001 |
| | | | | First Named Inventor | Thomas E. Borillo |
| | | | | Art Unit | 3731 |
| | | | | Examiner Name | Jessica R. Baxter |
| | | | | Attorney Docket Number | 593/005 |
| Sheet | 1 | of | 1 | | |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number/Kind Code ² (if known) | | | |
| | | 5,312,341 | 05-17-1994 | Turl | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Y ⁴ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | | CN 2105968U | 06-03-1992 | PLA Hospital No. 251 | | X |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| NON PATENT LITERATURE DOCUMENTS | | | | | |
|---------------------------------|--------------------------|---|--|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | Y ² |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| | |
|-----------------------|--------------------|
| Examiner Signature | Date Considered |
|-----------------------|--------------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number, (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/08a/p (09-03)

Approved for use through 07/31/2009. OMB 0851-0011
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|---|---|----|---|--------------------------|--------------------|
| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 09/960,749 |
| | | | | Filing Date | September 21, 2001 |
| | | | | First Named Inventor | Thomas E. Borillo |
| | | | | Art Unit | 3731 |
| | | | | Examiner Name | Jessica R. Baxter |
| | | | | Attorney Docket Number | 693/005 |
| Sheet | 1 | of | 1 | | |

| U.S. PATENT DOCUMENTS | | | | | |
|--------------------------------|-----------------------|--|--------------------------------|---|---|
| Examiner Initials ² | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | | 5,312,341 | 05-17-1994 | Turi | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------------|-----------------------|---|--------------------------------|---|---|----------------|
| Examiner Initials ² | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ³ |
| | | Country Code ⁴ -Number ⁵ -Kind Code ⁶ (if known) | | | | |
| | | CN 2105968U | 06-03-1992 | PLA Hospital No. 251 | | X |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials ² | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ³ |
| | | | |
| | | | |
| | | | |
| | | | |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.